

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

6500 CHERRYWOOD LANE
GREENBELT, MARYLAND 20770
301-344-0632

MEMORANDUM

TO: Counsel of Record

FROM: Judge Peter J. Messitte

RE: Gavri v. Seakey Holding, LLC et al.
Civil No. PJM 08-1338

DATE: November 21, 2014

* * *

On October 14, 2014 the Court issued a Memorandum Order (Paper No. 114) directing Plaintiff Gavri to respond to Defendant Pahuja's Motion for Exemption of Protected Property (Paper No. 105), and for Pahuja to reply in due course. The Court has since received both Gavri's Response (Paper No. 115) and Pahuja's Reply (Paper Nos. 116, 118). Pahuja's Reply attached exhibits purporting to demonstrate that the Charles Schwab account in question is an IRA exempt from attachment by Gavri pursuant to Md. Code § 11-504(h)(1) and 26 U.S.C. § 408(a). Pahuja's Reply also contained a declaration from Mr. Pahuja asserting that he never contributed more to the account than allowed by federal law. Pahuja indicates that he has requested records of all deposits into his account from Charles Schwab, and will supplement his Reply when they are received.

The Court notes that because none of the aforementioned documents or declaration was attached to Pahuja's pro se Motion, Gavri has not had an opportunity to review them and respond. Accordingly, the Court **DEFERS** ruling on Defendant Pahuja's Motion for Exemption of Protected Property (Paper No. 105). Plaintiff Gavri is **GRANTED LEAVE** to file a sur-reply. Gavri's sur-reply, if any, is due ten (10) days after Pahuja supplements his Reply with the records of deposits into his Charles Schwab.

Despite the informal nature of this ruling, it shall constitute an Order of the Court and the Clerk is directed to docket it accordingly.

/s/
PETER J. MESSITTE
UNITED STATES DISTRICT JUDGE

cc: Court File